

POINTS FOR CHARGE

25. Trade Secret Misappropriation—Compilation Entitled to Trade Secret Protection Even If Information Exists in Public Domain

The compilation of confidential information—especially where that information is aggregated and organized into spreadsheets—can be a protected trade secret, even if some information in that compilation is publicly available.¹

A confidential compilation and organization of public information can amount to a trade secret. This is because a trade secret can exist in a combination of characteristics and components, each of which, by itself is in the public domain, but the unified process, design and operation of which, in unique combination, affords a competitive advantage and is a protectable trade secret.²

¹ *Freedom Med. Inc. v. Whitman*, 343 F. Supp. 3d 509, 519 (E.D. Pa. 2018) (quoting *Amerisourcebergen Drug Corp. v. Am. Associated Druggists, Inc.*, No. 05-5927, 2008 WL 248933, at *25 (E.D. Pa. Jan. 29, 2008)).

² *Mallet & Co. v. Lacayo*, 16 F.4th 364, 386 (3d Cir. Sept. 24, 2021).